KA / BG-GPO / 2515 / WPP-47 / 2009-2011

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ ೧೪೫	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ನವೆಂಬರ್ ೪, ೨೦೧೦ (ಕಾರ್ತೀಕ ೧೩, ಶಕ ವರ್ಷ ೧೯೩೨)	ಸಂಚಿಕೆ ೪೩

ಭಾಗ – ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರದ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 25 ಕೇನಿಪ್ರ 2010, ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06ನೇ ಸೆಪ್ಟೆಂಬರ್, 2010

2010ನೇ ಸಾಲಿನ ಜೂನ್ 6,27,28,29ನೇ ದಿನಾಂಕದ ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ ಭಾಗ–II, ಸೆಕ್ಷೆನ್ 3(ii)ರಲ್ಲಿ ಪ್ರಕಟವಾದ ಈ ಕೆಳಕಂಡ (1) S.O. 1597(E) (Notification No. F.No NHAI/11013/01/2010-LA/KRT/DHA dated 06-07-2010) (2) S.O 1845(E) (Notification No.F.No.A 12026/1/2010-Admn.I(L.D) dated 27-07-2010) (3) S.O.1848(E) (Notification No.F.No.RT-11036/ 19/2010-MVL dated 28-07-2010) ಮತ್ತು (4) S.O.1855(E) (Notification No.F.No L.303/DADG/2010 dated 29-07-2010)ಗಳನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ.

"ಲಗತ್ತಿಸಿರುವ ವಿಷಯವನ್ನು ಇಲ್ಲಿ ತುಂಬಿ "

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ,

ಆರ್. ಆಂಜಿನಿ

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ,

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ.

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi, the 6th July, 2010

S.O. 1597(E) Whereas by the notification of the Government of India in the Ministry of Road Transport and Highways number S.O.384 (E),dated the 15th February, 2010 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (ii) and issued under sub-section(I) of section 3A of the National Highways Act, 1956(48 of 1956) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the land specified in the Schedule annexed to the said notification for

building (widening/ six-laning, etc.), maintenance, management and operation of National Highway No.4 on the stretch of land from Km.433.000 to Km. 515.000 (Dharwad-Belgaum Section) in Districts Dharwad and Belgaum in the State of Karnataka;

And whereas the substance of the said notification has been published in "Vijay Karnataka (Kannada Daily)" and "Deccan Herald (English Daily)" both dated the 24th March,2010 under sub-section (3) of Section 3A of the said Act;

And whereas objections have been received and the same have been considered and disallowed by the competent authority.

And whereas, in pursuance of sub-section (1) of Section 3D of the said Act, the competent authority has submitted its report to the Central Government;

Now, therefore, upon receipt of the said report of the Competent Authority and in exercise of the powers conferred by sub-Section(1) of Section 3D of the said Act, the Central Government hereby declares that the land specified in the said Schedule should be acquired for the aforesaid purpose;

And further, in pursuance of Sub-Section(2) of Section 3D of the Act, the Central Government hereby declares that on publication of this notification in the Official Gazette, the land specified in the said Schedule shall vest absolutely in the Central Government, free from all encumbrances.

SCHEDULE

Brief Description of the land to be acquired, with or without structure, falling within the stretch of land from Km. 433.000 to Km.515.000 (Dharwad - Belgaum Section) on the National Highway No.4 in the State of Karnataka.

Sl. No.	Name of the district	Name of the taluk	Name of the village	Survey number	Type of land	Nature of land	Area (in Square meters)	Name of the land owner
1	2	3	4	5	6	7	8	9
1	1. Dharwad	Dharwad	(1) Kumbapur	109	Private	Wet	690	I) Basappa s/o Veerupakshappa Sogi 2) Irappa s/o Veerupakshappa Sogi 3) Channabasappa s/o Veerupakshappa Sogi 4) Sivarudrappa s/o Veerupakshappa Sogi 5) Shivappa s/o Veerupakshappa Sogi
				108	Private	Wet	990	1) Jayaram s/o Sina Shetty
				105	Private	Wet	1020	1) Fakkirappa s/o Tirakappa Bavikatti 2) Chidanand s/o Basavenneppa Sadhani 3) Basavaraj s/o Dyamappa Nigadi 4) Rayanagoud s/o Basanagouda Patil
				104/4	Private	Wet	303	1) Andanappa s/o Veerappa Hullur
				104/3	Private	Wet	255	1) Shambulingappa s/o Basappa Danappanavar 2) Channabasappa s/o Basappa Danappanavar
				104/2D	Private	Wet	270	1) Sumangala w/o Halesh Antaravalli
				104	Private	Wet	400	Basappa A/F Fakkirappa Narayanapur
				103	Private	Wet	870	Prabhu s/o Gangappa Nadakatti
2	2. Belgaum	Belgaum	(1) Hirebagewadi	118	Private	Dry	404	1) Shantaveerayya s/o Rachayya Hirematha 2) Rachayya Urf Chandrayya s/o Santaveerayya Hirematha
				119	Private	Dry	13000	1) Surendra s/o Sivappa Chikkodi
				126	Private	Wet	1658	1) Shivappa s/o Basalingappa Kumbar 2) Iranna s/o Mallappa Kumbar and others
				127	Private	Wet	3700	1) Umesh s/o Naganagouda Kadroli Urf Patil 2) Vijay Kumar s/o Naganagouda Kadroli Urf Patil
				146	Private	Wet	4000	1) Basanagouda s/o Goudappa Barigidada
				145/1A	Private	Dry	1922	1) Basavanneppa s/o Adiveppa Huchchannavar 2) Bagwan Abdulrahim Gousasab
				145/1B	Private	Wet	164	1) Huleppa s/o Basavanneppa Giriyaannavar 2) Raghu A/F Chandra Shekar patil 3) Bagwan Abdulrahim Gousasab
			(2) Kolikoppa	33	Private	Dry	810	1) Yellappa s/o Adiveppa Jogannavar 2) Basavanni D/o Adiveppa Jogannavar 3) Maruthi s/o Adiveppa Jogannavar

			(3) Tarihal	280	Private	Dry	2145	1) Riyaaz slo Mohamadsab Attar
				281	Private	Dry	900	1) Riyaaz s/o Mohamadsab Attar
		I	(4) Kamkaratii	14	Private	Dry	945	I) Nagappa s/o Chudappa Kamannavar 2) Ramappa s/o Chudappa Kamannavar 3) Fakira s/o Chudappa Kamannavar 4) Bhakanna s/o Ponappa Kamannavar 5) Gouravva w/o Maruthy Kamannavar 6) Narayana s/o Ponappa Kamannavar 7) Parasuram s/o Ponappa Kamannavar 8) Fakira s/o Ponappa Kamannavar 9) Manohar slo Ponappa Kamannavar 10) Somanath s/o Chanappa Kamannavar II) Sadasiva s/o Chanappa Kamannavar 12) Hanumantha s/o Chanappa Kamannavar
						Total	34446	

[F. No. NHAI/11013/01/201O-LA/KRT/DHA]

S. S. GULlA, Dy. Secy.

MINISTRY OF LAW AND JUSTICE

(Legislative Department)

NOTIFICATION

New Delhi, the 27th July, 2010

S.O.1845(E)-In pursuance of clause(2) of article 324 of the Constitution, the President is pleased to appoint Shri Shahabuddin Yaqoob Quraishi as the Chief Election Commissioner with effect from the 30th July,2010

(F.No.A.12026/1/2010-Admn.1(L.D))

V.K. BHASIN,Secy.

MINISTRY OF ROAD TRANSPORT AND HIGHWAYS

NOTIFICATION

New Delhi the 28th July,2010.

S.O 1848(E) – In exercise of powers conferred by sub-rule(2A) of rule 87 of the Central Motor Vehicles Rules,1989, the Central Government hereby notifies the details of the National Permit Account and the Share of the States and Union Territories out of the consolidated fee deposited in the National Permit Account as under:-

(a) National Permit Account:-

Major Head 8499-Other Deposits,

Minor Head 121-National Permit Account, 01-National Permit for goods transport vehicles, and

(b) Share of the States and Union Territories in every rupees fifteen thousand collected towards con-solidated fee for National Permit:-

TABLE

Sl.No.	States and Union Territories	Share of the States and Union Territories in every rupees fifteen thousand (rounded up to nearest rupees)
1	2	3
1	Andhra Pradesh	712
2	Andaman and Nicobar Island	Nil
3	Arunachal Pradesh	1
4	Assam	203
5	Bihar	660
6	Chandigarh	184
7	Chhattisgarh	259
8	Dadra and Nagar Haveli	68
9	Daman and Diu	65
10	Delhi	606
11	Goa	93
12	Gujarat	915
13	Haryana	720
14	Himachal Pradesh	269
15	Jammu and Kashmir	77
16	Jharkhand	604
17	Karnataka	1170
18	Kerala	364

19	Lakshadweep	Nil
20	Madhya Pradesh	1427
21	Maharashtra	1487
22	Manipur	2
23	Meghalaya	16
24	Mizoram	3
25	Nagaland	13
26	Orissa	434
27	Punjab	504
28	Puducherry	139
29	Rajasthan	1106
30	Sikkim	1
31	Tamil Nadu	511
32	Tripura	9
33	Uttarakhand	364
34	Uttar Pradesh	1484
35	West Bengal	530
	Grand Total	**15000**

(F.No.RT-11036/19/2010-MVL)
SAROJ KUMAR DASH, Jt. Secy.

MINISTRY OF HEALTH AND FAMILY WELFARE
(Department of Health and Family welfare)
NOTIFICATION
New Delhi, the 29th July,2010

S.O 1855(E)-In exercise of the powers conferred by sub-section (3) of Section 1 of the Food Safety and Standards Act, 2006 (34 of 2006),the Central Government hereby appoints the 29th day of July, 2010 as the day on which the provisions of Sections 19 to 21 (both inclusive), Sections 23 to 29(both inclusive), Sections 31 to 35(both inclusive), Sections 48 to 80(both inclusive), Section 89, Section 94 to 98 (both inclusive) and Section 100 of the said Act, shall come into force.

(F.No.L.303/DADG/2010)
P.R. No. 49 VINEET CHAWDHRY, Jt. Secy.

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MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION
NOTIFICATION
New Delhi, the 9th June, 2010

S.O. 1416(E)-In exercise of the powers conferred by Sub-Section (3) of Section.1 of the Collection of Statistics Act, 2008 (7 of 2009), the Central Government hereby appoints the 11th of June, 2010 as the date on which the provisions of the said Act shall come into force.

[No. M-15011/1/2007-Admn III]
ARVIND KUMAR, Jt.Secy.

MINISTRY OF LAW AND JUSTICE
(Legislative Department)
New Delhi, the 9th January, 2009/ pausa 19, 1930 (Saka)

The following Act of Parliament received the assent of the President on the 7th January, 2009, and is hereby published for general information:-

THE COLLECTION OF STATISTICS ACT, 2008
No.7 OF 2009

(7th January, 2009)

An Act to facilitate the collection of statistics on economic, demographic, social, scientific and environmental aspects, and for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Fifty-ninth year of the Republic of India as follows:-

CHAPTER I
PRELIMINARY

1. Short title extent and commencement:

(1) This Act may be called the Collection of Statistics Act, 2008.
(2) It extends to the whole of India except the State of Jammu and Kashmir.
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Definitions:- In this Act, unless the context otherwise requires,-

(a) " agency" includes a person or persons engaged by the appropriate Government, directly or by outsourcing, for collection of statistics;

(b) "appropriate Government" means,-

(i) any Ministry or Department in the Central Government; or

(ii) any Ministry or Department in a State Government of Union territory Administration; or

(iii) any local Government that is to say, Panchayats or Municipalities, as the case may be,

in relation to the collection of statistics under a direction issued by it under section 3;

(c) "informant" means any person, who supplies or is required to supply statistical information and includes a owner or occupier or person in-charge or his authorised representative in respect of persons or a firm registered under the Indian Partnership Act, 1932 (9 of 1932) or a co-operative society registered under any Co-operative Societies Act or a company registered under the Companies Act, 1956 (1 of 1956) or a Society registered under the societies Registration Act, 1860 (21 of 1860) or any association recognised or registered under any law for the time being the force;

(d) "information schedule" means any book, document, form, card tape, disc or any storage media on which information required is entered or recorded or is required to be entered or recorded for statistical purposes under this Act;

(e) "prescribed" means prescribed by rules made under this Act;

(f) "sampling" means a statistical procedure by which information relating to a particular field of inquiry is derived by applying statistical techniques to information obtained in respect of a proportion of the total number of persons or units concerned relevant to the field of inquiry;

(g) "statistical survey" means a census or a survey, whereby information is collected from all the informants in the field of inquiry or from a sample thereof, by an appropriate Government under this Act or any other relevant Act, wholly or primarily for the purposes of processing the summarising by appropriate statistical procedures;

(h) "statistics" means statistics derived by collecting, classifying the using statistics, specially in or for large quantities or numbers by appropriate Government from statistical surveys, administrative and registration records, and other forms and papers, the statistical analysis of which are whether in a published or unpublished form,

(i) "statistics officer" means any officer appointed under section 4 for the purposes of any direction issued under section 3 of this Act.

CHAPTER II

COLLECTION OF STATISTICS

3. Collection of statistics:-The appropriate Government may, by notification in the Official Gazette, direct that the statistics on economic, demographic, social, scientific and environmental aspects shall be collected through a statistical survey or otherwise, and thereupon the provisions of this Act shall apply in relation to those statistics:

Provided that-

(a) nothing contained in this section shall be deemed to authorise a State Government or Union territory Administration or any local Government to issue any direction with respect to the collection of statistics relating to any matter falling under any of the entries specified in List I (Union List) in the Seventh Schedule to the Constitution; or

(b) where the Central Government has issued any direction under this section for the collection of statistics relating to any matter, no State Government or Union territory Administration or any local Government shall, except with the previous approval of the Central Government, issue any similar direction for so long as the collection of such statistics by the Central Government remain to the completed; or

(c) where a State Government or Union territory Administration or any local Government has issued a direction under this section for the collection of statistics relating to any matter, the Central Government shall not issue any similar direction for so long as the collection of such statistics by the State Government remain to be completed, except in cases where such statistics have to be collected with reference to two or more States or Union territories.

4. Powers of appropriate Government to appoint statistics officer, etc:- (1) The appropriate Government may appoint or cause to appoint an officer to be the statistics officer for any geographical unit for the purpose of collecting any statistics directed by it.

(2) The appropriate Government may appoint any agency or persons working in such agencies to take, or aid in, or supervise the collection of the statistics within any specified geographical unit and such agencies or persons, when so appointed, shall be bound to serve accordingly.

(3) The appropriate Government may employ on contract basis any agency or company or organisation or association or person, on such terms and conditions and on such safeguards as may be prescribed, for the purpose of collecting the statistics directed by it.

(4) The appropriate Government may delegate to any statistics officer, as it thinks fit, the power of appointing agencies or persons working in such agencies or employing on contract basis any agency or company or organisation or association of persons, conferred on it by sub-sections (2) and (3) within the geographical unit for which such statistics officer is appointed.

(5) The appropriate Government may, by order specify the form, the particulars required or the interval within which, and the statistics officer to whom, the statistical information by the informants shall be furnished.

(6) The appropriate Government may, by order published in the Official Gazette, delegate to any statistics officer, as it thinks fit, any power conferred under sub-section (5) for the purpose of the collection of statistics under a direction issued by it under section 3.

5. Power of statistics officer to call for information:-The statistics officer may, for the purpose of collection of statistics on any specified subject in any geographical unit for which the said officer was appointed-

(a) serve or cause to be served on any informant a notice in writing asking him to furnish the information specified under sub-section (5) of section 4 or cause a information schedule to be given to any informant for the purpose of its being filled up; or

(b) cause all questions relating to the subject to be asked from any informant; or

(c) seek information through tele fax or telephone or e-mail or in any other electronic mode or in a combination of different modes for different sets of information so specified.

6. Duty of informants:-The informants who are asked to furnish any information under the provisions of this Act shall be bound to furnish the information so asked in the prescribed manner to the best of knowledge or belief, and in cases where only a portion of a particular class or group of persons or units is asked to furnish information because of any sampling procedure, it shall not be a defence in failure on the part of any informant to furnish that information, if so asked.

7. All agencies to assist:-Every agency shall render such help and assistance and furnish such information to the statistics officer or a person or an agency authorised by him in writing, as he may require for the discharge of his functions, and shall make available for inspection and examination of such records, plans and other documents, as may be necessary.

8. Right of access to records or documents:-The statistics officer or any person authorised by him in writing in this behalf shall for the purposes of collection of any statistics under this Act, have access to any relevant record or document in the possession of any informant required to furnish any information under this Act, and may enter at any reasonable time any premises where he believes such record or document is kept and may inspect or take copies of relevant records or documents or ask any question necessary for obtaining any information required to be furnished under this Act.

CHAPTER III
DISCLOSURE OF INFORMATION IN CERTAIN CASES AND RESTRICTIONS OF THEIR USE

9. Security of information:- (1) Any information furnished to the statistics officer or to any person or agencies authorised under this Act shall only be used for statistical purposes.

(2) No person other than a person engaged in the work of collection of statistics under this Act or preparation of statistics resultant to such collection shall be permitted to see any information schedule or any answer to a question asked, except for the purposes of a prosecution under this Act.

(3) No information contained in any information schedule and no answer to any question asked shall, except for the purposes of a prosecution under this Act, be separately published, or disclosed without suppressing the identification of informants to any agency.

(4) All statistical information published by any agency shall be arranged in such a manner so as to prevent any particulars becoming identifiable by any person (other than the informant by whom those particulars were supplied) as the particulars relating to the informant who supplied it, even through the process of elimination, unless-

(a) that informant has consented to their publication in that manner; or

(b) their publication in that manner could not reasonably have been foreseen by the concerned agency or any employee thereof.

(5) For the purposes of sub-section (4), the Central Government may make such rules or make such arrangement, as it may consider necessary.

10. Appropriate Government authorised to disclose certain information:-Notwithstanding the provisions contained in section 9 of this Act, the appropriate Government may disclose the following information, namely;-

a) information supplied by informant in respect of which disclosure is consented to in writing by the informant or by any person authorised by the said informant;

b) information otherwise available to the public under any Act or as a public document;

c) information in the form of an index or list of the names and addresses of informants together with the classification, if any, allotted to them and the number of persons engaged.

11. Disclosure of information schedules for *bona fide* research or statistical purposes:-(1) Notwithstanding the provisions contained in section 9 of this Act, the appropriate Government may disclose individual returns of formats or information schedules to other agency or person or institutions or universities solely for *bona fide* research of statistical purposes pursuant to their functions and duties.

(2) No individual return or information schedule shall be disclosed pursuant to this section unless –

(a) the name and address of the informant by whom the schedule or related information was supplied is deleted;

(b) every agency or person or institutions or Universities involved in the research or statistical project makes a declaration to use the schedules disclosed to them only for *bona fide* research or statistical purposes; and

(c) the appropriate Government, making such disclosure is satisfied that the security of the schedules and any information contained therein shall not be impaired.

(3) The published results of any research or statistical project shall not divulge any more information than what the agency authorised for collection of statistics could publish under this Act.

(4) Every agency of person of institutions or universities to whom any individual return or information schedule is disclosed under this section shall comply with directions given by the agency authorised for collection of statistics making the disclosure relating to the schedules and any information contained therein.

12. Disclosure of historical documents:-Notwithstanding anything contained in section 9 of this Act, the appropriate Government may release such documents relating to information schedules, which in its opinion have attained historical importance.

13. Security of recorded information:-The statistics officer or any person or agency authorised for collection of statistics shall, while copying or recording any statistical information collected pursuant to this Act from individual returns, information schedules, worksheets or any other confidential source by means of cards, tapes, discs, film or any other method, whether using encoded or plain language symbols for processing, storage or reproduction of particulars, take and cause to take such steps as are necessary to ensure that the security provisions of this Act are complied with.

14. Restrictions on use of information:-Save as otherwise provided under this Act,-

(a) no information obtained pursuant to this Act and no copy of the information in the possession of any informant shall be disclosed or used as evidence in any proceedings whatsoever; and

(b) no person who has access to any information because of his official position in the collection of any statistics shall be compelled in any proceedings whatsoever to give oral testimony regarding the information or to produce any schedule, document, or record with respect to any information obtained in the course of administering this Act,

except in the manner provided under this Act.

CHAPTER IV
OFFENCES AND PENALTIES

15. Penalty for neglect or refusal to supply particulars:-(1) Whoever, fails to produce any books of accounts, vouchers, documents or other business records or whoever neglects or refuses to fill in and supply the particulars required in any information schedule or return given or sent to him or whoever neglects or refuses to answer any question or inquiry addressed to him as may be required under or for the purposes of any provision of this Act and the rules made thereunder, shall be punishable with a fine which may extend to one thousand rupees or, in the case of a company, with a fine which may extend to five thousand rupees.

(2) The conviction of a person or company for an offence shall not relieve him or it of the obligations under sub-section (2) and if after the expiry of fourteen days from the date of conviction, he or it still fails to give the required particulars or continues to neglect or refuses to fill in and supply the particulars or to answer the question or inquiry, then he or it shall be punishable with a further fine which may extend to one thousand rupees or, in the case of a company, with a fine which may extend to five thousand rupees, for each day after the first during which the failure continues.

16. Penalty for making false statement:-Whoever, wilfully make any false or misleading statement or material omission in any information schedule or return filled in or supplied, or in answer to any question asked to him under this Act or the rules made there under, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to one thousand rupees or, in the case of a company, with a fine which may extend to five thousand rupees or with both.

17. Penalty for mutilation or defacement of information schedule:- Whoever, destroys, defaces, removes, or mutilates any information schedule, form, or other document containing particulars collected under this Act or requesting any such particulars shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or, in the case of a company with a fine which may extend to ten thousand rupees or with both.

18. Penalty for obstruction of employees:-Whoever, interferes with, hinders, or obstructs any employee in the exercise of any power or duty conferred by this Act, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or, in the case of a company with a fine which may extend to ten thousand rupees or with both.

19. Penalty for other offences. Who ever: (a) acts in contravention of or fails to comply with any provision of this Act or any requirement imposed under this Act; or

(b) wilfully deceives or attempts to deceive any statistics officer or any agency or any employee thereof,

shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or, in the case of a company, with a fine which may extend to ten thousand rupees or with both.

20. Penalty for failure to carry out duties and functions by employees:-If any person employed in the execution of any duty or functions under this Act,-

(a) omits without lawful excuse to carry out his duty, or knowingly makes any false declaration, statement or return; or

(b) pretends performance of his duties or obtains or seeks to obtain information which he is not authorised to obtain; or

(c) fails to keep inviolate the secrecy of the information gathered or entered in the information schedules collected pursuant to this Act and, except as permitted under this Act, divulges the contents of any schedule filled in or any information furnished by any informant under this Act,

shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or, in the case of a company, with a fine which may extend to ten thousand rupees or with both.

21. Penalty for impersonation of employee:-Whoever, not being authorised to collect statistics under the provisions of this Act, by words, conduct or demeanor pretends that he is authorised to do so, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or, in the case of a company, with a fine which may extend to ten thousand rupees or with both.

22. General penalty:-Whoever, commits an offence under this Act for which no penalty is prescribed elsewhere than in this section, shall be punishable with simple imprisonment for a term which may extend to six months or with a fine which may extend to two thousand rupees or, in the case of a company, with a fine which may extend to ten thousand rupees or with both.

23. Offences by companies:- (I) Where an offence under this Act has been committed by a company, every person who at the time the offence was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (I), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent of connivance of, or is attributable to, any neglect on the part of any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Explanation :- For the purpose of this section –

(a) "company" means any body corporate and includes a firm or other association of individuals ; and

(b) "Director", in relation to a firm, means a partner in the firm.

24. Cognizance of offences:-No court shall take cognizance of any offence under this Act except on a complaint made by the appropriate Government or an officer authorised in this behalf by such appropriate Government or, as the case may be, the statistics officer, and no court inferior to that of a Metropolitan Magistrate or a Judicial Magistrate of the first class shall try any offence punishable under this Act.

25.Sanction for prosecution for offence:- No prosecution for an offence committed by any informant shall be instituted except by or with the sanction of the statistics officer, and no prosecution for an offence committed by persons other than informants shall be instituted except by or with the consent of the appropriate Government. .

26. Power of court to try cases summarily:-Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (2 of 1974) all offences under this Act shall be tried in a summary way by a Judicial Magistrate of the first class or by it Metropolitan Magistrate and the provisions of sections 262 to 265 (both inclusive) of the said Code shall, as far as may be, apply to such trial:

Provided that when in the course of, a summary trial under this section it appears to the Magistrate that the nature of the case is such that it is, for any reason, undesirable to try the case summarily. the Magistrate shall after hearing the parties, record an order to that effect and thereafter recall any witness who may have been examined and proceed to hear or rehear the case in the manner provided by the said Code.

CHAPTER V
POWER IN RESPECT OF CORE STATISTICS

27. Power in respect of core statistics.- Without prejudice to the provisions contained in this Act, the Central Government may, by notification in the Official Gazette, declare from time to time any subject for the collection of statistics of national importance as 'core statistics' and make such arrangement, as it may consider necessary, for regulating the collection and dissemination of statistics on the subject so declared.

CHAPTER VI
MISCELLANEOUS

28. Power to give directions:-The Central Government may give directions to any State Government or Union territory Administration or to any local Government that is to say Panchayats or Municipalities, as to the carrying into execution of this Act in the State or Union territory or Panchayats or Municipalities, as the case may be.

29. Public servants:-Any statistics officer and any person authorised for the collection of statistics or preparation of official statistics under the provisions of this Act shall be deemed to be a pubic servant within the meaning of section 21 of the Indian Penal Code, 1860 (45 0f 1860)

30. Bar of jurisdiction.-No civil court shall have jurisdiction to entertain any suit or proceeding in respect of any matter which the appropriate Government or the statistics officer or the agency is empowered by or under this, Act to determine. and no injunction shall be granted by any court or other authority in respect of any action taken or to be taken in pursuance of any power conferred by or under this Act.

31. Protection of action taken in good faith.-No suit or other legal proceedings shall lie against the appropriate Government or agency or any statistics officer or other officers or employees in respect of anything which is in good faith done or intended to be done in pursuance of this Act or the rules or directions issued thereunder.

32. Overriding effect:-The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force except in relation to the conduct of human population census as per the directions. if any, issued under the Census Act, 1948 (38 of 1948)

33. Power to make rules:-(1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power. the Central Government may make rules under this section for all or any of the following matters, namely:---

(a) principles for coordinating as effectively as possible to achieve the objectives of section 3 including nomination and registration of statistics officers by the Central Government and also to avoid unnecessary duplication in the collection of statistics;

(b) the terms, conditions and safeguards under which any person or agency or company or organization or association may be engaged by the appropriate Government for the purpose of collection of statistics under sub-section (3) of section 4;

(c) principles for prescribing the form and manner in which the information may be required to be furnished;

(d) principles for prescribing the manner in which the right of access to documents and the right of entry conferred by section 8 may be exercised; and

(e) any other matter which is to be or may be prescribed under this Act.

(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

34. Repeal and savings:-(1) The Collection of Statistics Act, 1953 (32 of 1953) is hereby repealed,

(2) Notwithstanding such repeal, anything done or any action taken under the said Act shall be deemed to have been done or taken under the corresponding provisions of this Act.

(3) All rules made under the said Act shall continue to be in force and operate till new rules are made under this Act.

T. K. VIS WANATHAN
Secy. to the Govt. of India.

P.R. No. 50